REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

Disposition of the Claims

Claims 1, 2, 5, 8-11, 14, 17-20, 23-32 were pending in this application. Claims 5, 14, and 25-32 are cancelled by way of this reply without prejudice or disclaimer. Of the currently pending claims, claims 1, 10, and 19 are independent. The remaining claims depend directly or indirectly from claims 1, 10, and 19.

Claim Amendments

Claims 1, 10, 11, 17, 19, and 23 are amended by way of this reply. Specifically, claims 1, 10, and 19 are amended to clarify the invention. Claims 11, 17, and 21 are amended for consistency with the amendments to claim 1, 10, and 19. No new matter has been added by way of these amendments as support may be found, for example, on p. 21, ll. 17 – p. 23, ll. 16 of the Application as filed.

Rejections under 35 U.S.C. § 103

Claims 1, 2, 5, 9-11, 14, 18-20, 24-27, 29, 30, and 32

Claims 1, 2, 5, 9-11, 14, 18-20, 24-27, 29, 30, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2003/0115322 ("Moriconi") in view of U.S. Patent Pub. No. 2005/0021818 ("Singhal"), and in further view of U.S. Patent No.

6,178,505 ("Schneider"). As discussed above, claims 5, 14, 25-27, 29, 30, and 32 are cancelled by way of this reply. Accordingly, the rejection is now moot with respect to claims 5, 14, 25-27, 29, 30, and 32. To the extent that this rejection applies to the amended claims, this rejection is respectfully traversed.

The claims, as amended, are directed towards evaluating requests from requestors. Specifically, independent claim 1, as amended, requires, in part, that a first request is received by a server from a first requestor. *See, e.g.*, p. 16, ll-25 – p. 18, ll. 11 and p. 21, ll. 17 – p. 23, ll. 16 of the application as filed. The first request is referred to a remote source, which evaluates the first request using a policy definition. *Id.* The result of the evaluation is a first policy decision. *Id.* The remote source sends the first policy decision to the server. *Id.* The server stores the first policy decision in local memory. *Id.* When the policy decision is stored, the local memory includes a second policy decision. *Id.* A second request is received by the server from the first requestor. *Id.* The server uses the stored first policy decision to evaluate the second request. *Id.* A notification is received that identifies the first policy decision. *Id.* Based on the notification, the first policy decision is invalidated. *Id.* When the first policy decision is invalidated, the second policy decision remains valid in local memory. *Id.* Namely, the invalidating of policy decisions is performed selectively. *Id.* Thus, when a third request is received that identifies a second requestor, the third request is processed using the second policy decision that is stored in local memory. *Id.* However, when a fourth request is received that identifies the first requestor, the fourth request is referred to the remote source for evaluation. *Id.* Independent claims 10 and 19, as amended, include similar limitations as independent claim 1.

"The key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. § 103 should be made explicit." MPEP § 2143 (referring to KSR Int'l Co. v. Teleflex Inc., 550 U.S. ___, 127 S. Ct. 1727 (2007). The analysis presented by the Examiner to support the rejection of the claims under 35 U.S.C. § 103 in the Office Action dated April 28, 2008, indicates that the Examiner found no differences between the cited prior art and the claims besides a lack of the actual combination of the elements in a single prior art reference, *i.e.*, that the Examiner is relying solely on the teachings of the prior art. *See*, *e.g.*, MPEP § 2143(A).

Turning to the rejection, as discussed above, the claimed invention requires that the policy decision on the server is selectively invalidated based on a notification when a change is made to a policy decision, such that the server waits to receive another request before obtaining a new policy decision.

Moriconi is silent with respect to selectively invalidating policy decisions. The system disclosed by Moriconi includes a policy manager on a server in the network that manages a global security policy and an application guard on a client or client server that includes a local client security policy rule derived from the global security policy rule. *See*, *e.g.*, Moriconi, paragraph [0047] and Figure 3. In Moriconi, the enforcement of the policy is performed locally by the application guard using the local policy rule. *Id*. Because the enforcement is performed locally, policy decisions are not invalidated based on notifications from a remote server. Further, policy decisions are made as the requests are received and are not made by a remote server. Therefore, Moriconi clearly does not teach or suggest that a policy decision on the server is selectively

invalidated based on a notification when a change is made to a policy definition as required by the amended claims.

Singhal fails to teach or suggest that which Moriconi lacks. Singhal discloses an Application Intermediation Gateway (AIG) that connects a plurality of core network elements to a plurality of network resources such as content providers, third party application providers, and partner portals. The AIG provides access to the network resources by implementing application level policies. The decisions on the application level policies (*i.e.*, policy decisions) are provided to the AIG by a policy decision point. *See, e.g.,* Singhal, paragraph [0030]. However, Singhal is completely silent with respect to what happens when an application level policy at a policy decision point is changed. That is, Singhal does not disclose any type of procedure for notifying the AIG of a resource affected by a change in a policy definition. Clearly, Singhal does not teach or suggest that the policy decision on the server is selectively invalidated based on a notification when a change is made to a policy definition, such that the server waits to receive another request before obtaining a new policy decision as required by the amended claims.

Schneider fails to teach or suggest that which Moriconi and Singhal lack. Specifically, in Schneider, changes are immediately propagated to all access filters after the change to an access control database is made. *See, e.g.*, Schneider, col. 24, ll. 31-33. Namely, in Schneider, the policy decision on the server is not selectively invalidated based on a notification when a change is made to a policy definition, such that the server waits to receive another request before obtaining a new policy decision as required by the amended claims.

In view of the above, Moriconi, Singhal, and Schneider, whether considered together or separately, fail to teach all of the limitations of claims 1, 10, and 19. Dependent claims 2, 9, 11,

18, 20, and 24, which depend from claims 1, 10, and 19, are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8, 17, 23

Claims 8, 7, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moriconi view of Singhal, in further view of Schneider, and in further view of U.S. Patent Pub. No. 2004/0054791 ("Chakraborty"). To the extent that this rejection applies to the amended claims, this rejection is respectfully traversed.

Applicants assert that the use of Chakraborty to reject these claims under 35 U.S.C. § 103(a) is improper under 35 U.S.C. § 103(c). Chakraborty was published under 35 U.S.C. § 122(b) on March 18, 2004, and the present application was filed on May 26, 2003, thus making Chakraborty prior art under 35 U.S.C. § 102(e). Further, Applicants' patent application and Chakraborty were, at the time Applicants' invention was made, owned by, or subject to an obligation of assignment to Sun Microsystems, Inc. Chakraborty, as indicated by way of an Assignment recorded at Reel/Frame 013307/0211, and Applicants' patent application, by way of the attached Assignment[1], are assigned to Sun Microsystems, Inc. Thus, the use of Chakraborty in an obviousness rejection of claims 8, 7, and 23 is improper under 35 U.S.C. § 103(c).

In view of the above, Moriconi, Singhal, Schneider, and Chakraborty, whether considered together or separately, fail to teach all of the limitations of claims 1, 10, and 19.

[1] On June 26, 2006, Applicants submitted the attached assignment to the United States Patent and Trademark Office. After a review of the file revealed that a recordation of Assignment had not been received, Applicants resubmitted the attached assignment on July 8, 2008 for recordation. Accordingly, Applicants are currently awaiting the recordation of the attached assignment.

Dependent claims 8, 7, and 23, which depend from claims 1, 10, and 19, are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 28 and 31

Claims 28 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moriconi view of Singhal, in further view of Schneider, and in further view of U.S. Patent No. 6,463,470 ("Mohaban"). As discussed above, claims 28 and 31 are cancelled by way of this reply. Accordingly, this rejection is now moot. Withdrawal of this rejection is respectfully requested.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/496001; P9015).

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Respectfully submitted,

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